

### House Bill No. 558

A bill for an act entitled: "An act prescribing the procedure for the stabilization of aggregate surface roads." Codification instructions list this HB as to be integral part of Title 60 (Highways and Transportations), Chapter 2 (State Administration).

**In Opposition:** The Montana Society of Engineers (MSE) and the American Society of Civil Engineers (ASCE)

**Reason for Opposition:** This House Bill essentially attempts to legislate engineering and more specifically attempts to legislate engineering properties of materials.

Codification of engineering principles has a sound basis and examples of which can be found in documents such as the Manual of Uniform Traffic Control Devices and the International Building Code. These documents set a standard of practice and specify specific materials. Montana has adopted these documents in whole and subsequently altered a few sections to better fit Montana. The State of Montana further allows Municipalities and other governmental bodies to modify sections to match their specific needs. These documents were developed with the primary focus of standardizing specific elements such as a stop sign, but they were written with the intent to be modified at the local level.

HB 558 essentially reverses this process by writing a very specific standard and applying it across the State of Montana. This is not sound practice, as the materials used for road construction in Libby vary dramatically from those used in Ekalaka. One size does not fit all in this case. Specific engineering criteria should not be legislated on an individual basis. Elements of HB 558 are in opposition to how select counties and Western Federal Lands utilize magnesium chloride in certain projects.

Passing of HB 558 sets a precedence that should be avoided. There is no difference in this bill and a future bill that legislates how potholes should be patched. Codification of specific engineering criteria undermines the work that experts put into publications of national or regional value and detracts from the work of the specific engineer who utilizes these materials to the best of his/her ability.

### Opposed to HB 558

On behalf of ASCE and MSE,

Christoph T. Laity, PE  
Past-President ASCE Montana Chapter  
Member, MSE  
Chair, Joint Engineers Conference